

#434  
1 BILL NO. G-90-06-42

2 GENERAL ORDINANCE NO. G- 19-90

3 AN ORDINANCE amending the Thoroughfare  
4 Plan of the City Comprehensive ("Master")  
5 Plan by vacating a Utility & Surface Drainage Easement.

6 WHEREAS, a petition to vacate a utility & surface  
7 drainage easement within the City of Fort Wayne (as more  
8 specifically described below) was duly filed with the City  
9 Planning Commission; and

10 WHEREAS, said Commission duly held a public hearing  
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its  
13 recommendation to this body approving said petition, all in  
14 accordance with I.C. 36-7-4-512(2) and this body having held  
15 a public hearing on said vacation as provided in I.C. 36-7-  
16 4-12; and

17 WHEREAS, this body concurs in the recommendation of the  
18 City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
20 THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to vacate a  
22 utility & surface drainage easement within the City of Fort  
23 Wayne, more specifically described as follows, to-wit:

24 The north ten (10) feet of Lot 5 in Cook Road  
25 Office and Industrial Park according to the plat  
thereof, recorded in Plat Record 48, pages 126-131  
in the Office of the Recorder of Allen County,  
Indiana.

26 and which vacating amends the Thoroughfare Plan of the City  
27 Comprehensive ("Master") Plan and is hereby approved in all  
28 respects.

29 SECTION 2. That this Ordinance shall be in full force  
30 and effect from and after its passage, any and all necessary  
31 approval by the Mayor.

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434

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David Long  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay  
J. TIMOTHY McCAULAY, CITY ATTORNEY

\*\* Public hearing to be held on Tuesday,  
the 28th day of August, 1990,  
in the Council Chambers.

Sandra E. Kennedy  
Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Leng,  
seconded by Delano, and duly adopted, read the second time by Leng,  
title and referred to the Committee on Regulations (and the  
City Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Common Council Conference Room 128, City-County  
Building, Fort Wayne, Indiana, on 19, the 19 day  
of 19, at o'clock M., E.S.T.

DATED: 6-26-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury,  
seconded by Talarico, and duly adopted, placed on its passage.  
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>			<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>				<u>2</u>
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 8-28-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. G-19-90  
on the 28th day of August, 1990

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 25th day of August, 1990,  
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 31st day of August,  
1990, at the hour of 3:30 o'clock P.M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

## RECEIPT

No 7304

COMMUNITY DEVELOPMENT &amp; PLANNING

FT. WAYNE, IND. 5/9 1920

RECEIVED FROM Baker & Daniels \$100.00  
THE SUM OF One Hundred 100/100 DOLLARS  
ON ACCOUNT OF

PAID BY: CASH  CHECK  M.O. 

102231 AUTHORIZED SIGNATURE

Date Filed: 5-9-90

Vacation Petition

I/We John A. Schenkel  
(Applicant's Name or Names)

PETITION TO VACATE utility and surface drainage easement  
(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following utility and surface drainage / easement with the City of Fort Wayne, Indiana, and hereby described as follows:

The north Ten (10) feet of Lot 5 in Cook Road and Industrial Park according to the plat thereof recorded in Plat Record 48, pages 126-131 in the Office of the Recorder of Allen County, Indiana  
(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

- 1) Applicant owns the real estate bordering both sides of the easement.
- 2) No utilities are currently occupying the easement.
- 3) The easement has been relocated fifty (50) feet to the north of its existing location.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described utility and surface/ <sup>drainage easement</sup> be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 7th DAY OF May 19 90.

John A. Schenkel  
Adjacent Property Owner  
Typed Name

7701 OPPORTUNITY DR 46821  
Address Zip

John A. Schenkel  
Signature

Adjacent Property Owner  
Typed Name

Address Zip  
Signature

**Legal Description of Property:**

N/A

**Additional Reasons for Vacation Request:**

4.) No other person, firm or corporation is interested in or  
affected by the proposed vacation

**Owners of Adjacent Property:**

N/A

Adjacent Owners TYPED Name	Property	Address/Zip	Signature
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**NOTICE:**

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE  
PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC  
HEARING FROM BEING HELD.

This form is to be filed in duplicate.

**AGENT:**

Jon A. Bomberger  
Name

2400 Fort Wayne National Bank Building  
Street Address

Fort Wayne, Indiana 46802  
City/State/Zip

219/424-8000  
Phone



ZOHARB K. TAZIAN, P.E. & L.S.  
JOHN C. SAUER, L.S.  
SAM L. FAUST, L.S.



## CERTIFICATE OF SURVEY

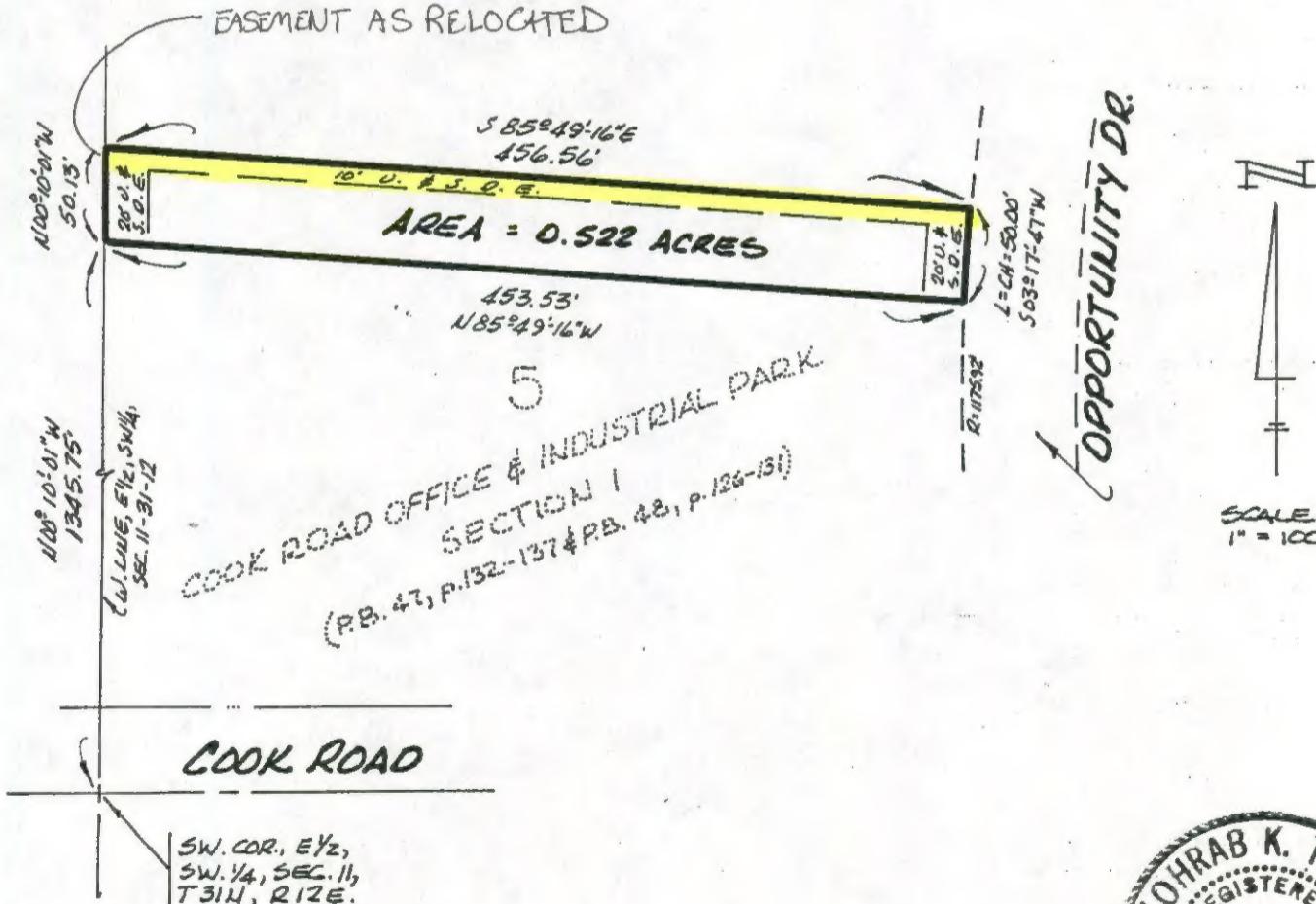
This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

### DESCRIPTION OF REAL ESTATE

Part of the East Half of the Southwest Quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing at the Southwest corner of the East Half of said Southwest Quarter; thence North 00 degrees 10 minutes 01 seconds West (plat bearing and is used as the basis for the bearings in this description), on and along the West line of the East Half of said Southwest Quarter, a distance of 1345.75 feet to the Northwest corner of Lot #5 in Cook Road Office & Industrial Park, Section I, the plat of which is recorded in Plat Book 47, pages 132-137 and Plat Book 48, pages 126-131 in the Office of the Recorder of Allen County, Indiana, this being the true point of beginning; thence North 00 degrees 10 minutes 01 seconds West, on and along said West line, a distance of 50.13 feet; thence South 85 degrees 49 minutes 16 seconds East, parallel to and 50.0 feet normally distant Northerly of the North line of said Lot #5, a distance of 456.56 feet to a point on the Westerly right-of-way line of Opportunity Drive; thence Southwesterly, on and along said Westerly right-of-way line as defined by the arc of a regular curve to the left, not tangent to the last course, having a radius of 1175.92 feet, an arc distance of 50.00 feet, being subtended by a long chord having a length of 50.00 feet and a bearing of South 03 degrees 17 minutes 47 seconds West to the Northeast corner of said Lot #5; thence North 85 degrees 49 minutes 16 seconds West, on and along the North line of said Lot #5, a distance of 453.53 feet to the point of beginning, containing 0.522 acres of land, subject to a Utility and Surface Drainage Easement over the West 20 feet, Easterly 20 feet and Northerly 10 feet thereof, and subject to all easements of record.

This property is not in a special flood hazard area as defined by the FIA Flood Hazard Boundary Map No. H-01-41, effective Feb. 27, 1976.



I hereby certify on the 1st day of May, 1990 that the above survey is correct.  
Surveyed for: Cook Road Office & Industrial Park, Section II  
Survey No.: 1



RESOLUTION 78-261-24

WHEREAS, JOHN A. SCHENKEL has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following utility & surface drainage easement situated in Fort Wayne, Allen County, to-wit:

The north ten (10) feet of Lot 5 in Cook Road Office and Industrial Park according to the plat thereof, recorded in Plat Record 48, pages 126-131 in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility and surface drainage easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

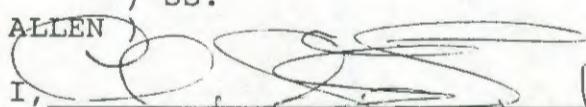
NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility and surface drainage easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

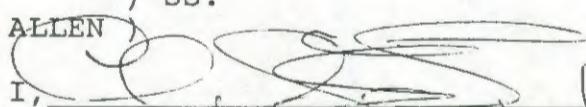
BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility and surface drainage easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN

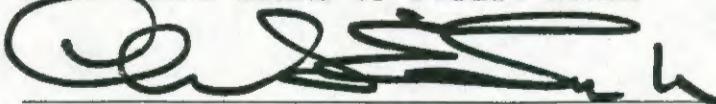


I, 

July 18, 1990 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 18 DAY OF July 1990

FORT WAYNE BOARD OF PUBLIC WORKS



Charles E. Layton  
Director of Public Works



Michael McAlexander  
Director of Public Safety

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Douglas M. Lehman  
Director of Administration & Finance

RESOLUTION

WHEREAS, JOHN A. SCHENKEL has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility & surface drainage easement in Fort Wayne, Allen County, to-wit:

The north ten (10) feet of Lot 5 in Cook Road Office and Industrial Park according to the plat thereof, recorded in Plat Record 48, pages 126-131 in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-12.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 16, 1990 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility and surface drainage easement.

WHEREAS, said vacation of dedicated utility and surface drainage easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility and surface drainage easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility and surface drainage easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility and surface drainage easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

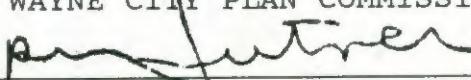
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility and surface drainage easement in Allen County, Indiana.

STATE OF INDIANA)  
                         ) SS:  
COUNTY OF ALLEN )

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 25, 1990 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF June 1990

FORT WAYNE CITY PLAN COMMISSION

  
\_\_\_\_\_  
Robert Hutner, Secretary

2/1/34  
ORIGINAL

ORIGINAL

DIGEST SHEET

**TITLE OF ORDINANCE** Utility and Surface Drainage Easement Ordinance

**DEPARTMENT REQUESTING ORDINANCE** Land Use Management - C&ED

**SYNOPSIS OF ORDINANCE** The north 10 feet of Lot 5 in Cook Road and Industrial Park.

8-90-06-42

**EFFECT OF PASSAGE** The property is presently a dedicated utility and surface drainage easement. The property will be vacated and revert to the adjacent property owners.

**EFFECT OF NON-PASSAGE** The property will remain a dedicated utility and surface drainage easement.

**MONEY INVOLVED (Direct Costs, Expenditures, Savings)**

**(ASSIGN TO COMMITTEE (J.N.)**

## FACT SHEET

G-90-06-42

BILL NUMBER

Division of Community  
Development & Planning

## BRIEF TITLE

## APPROVAL DEADLINE

## REASON

Utility &amp; Surface Drainage Easement

## DETAILS

## Specific Location and/or Address

Utility & Surface Drainage Easement in  
Cook Road Office & Industrial Park

## Reason for Project

Relocation of existing easement.

## Discussion (Including relationship to other Council actions)

## 18 June 1990 - Public Hearing

Jon Bomberger, attorney representing the petitioner, John Schenkel appeared before the Commission. Mr. Bomberger stated that the petitioners own the real estate on either side of the easement. He stated that there are no utilities currently located in the easement. He stated that his client has purchased the 50 feet north of the existing Lot #5 and proposes simply to relocate the existing easement 50 feet north of its present location, which is the north 10 feet of Lot #5.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

## POSITIONS

## RECOMMENDATIONS

Sponsor	City Plan Commission	
Area Affected	City Wide	
	Other Areas	
Applicants/ Proponents	<b>Applicant(s)</b> John A Schenkel <b>City Department</b> Other	
Opponents	<b>Groups or Individuals</b> <b>Basis of Opposition</b>	
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b>	
Board or Commission Recommendation	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)	
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	

## DETAILS

25 June 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, one (1) did not vote.

Motion carried.

## POLICY/PROGRAM IMPACT

<b>Policy or Program Change</b>	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>		

(This space for further discussion)

**Project Start**      **Date**      May 9, 1990

Projected Completion or Occupancy      Date      July 25, 1990

**Fact Sheet Prepared by** \_\_\_\_\_ **Date** July 25, 1990

Patricia Biancaniello

Reviewed by \_\_\_\_\_ Date 7-26-90

Reference or Case Number

**Reference or Case Number**

BILL NO. G-90-06-42

## REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating a  
Utility & Surface Drainage Easement

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

J. Bradbury  
Clinton I. Edmonds  
J. S. Syme  
James C. Salario

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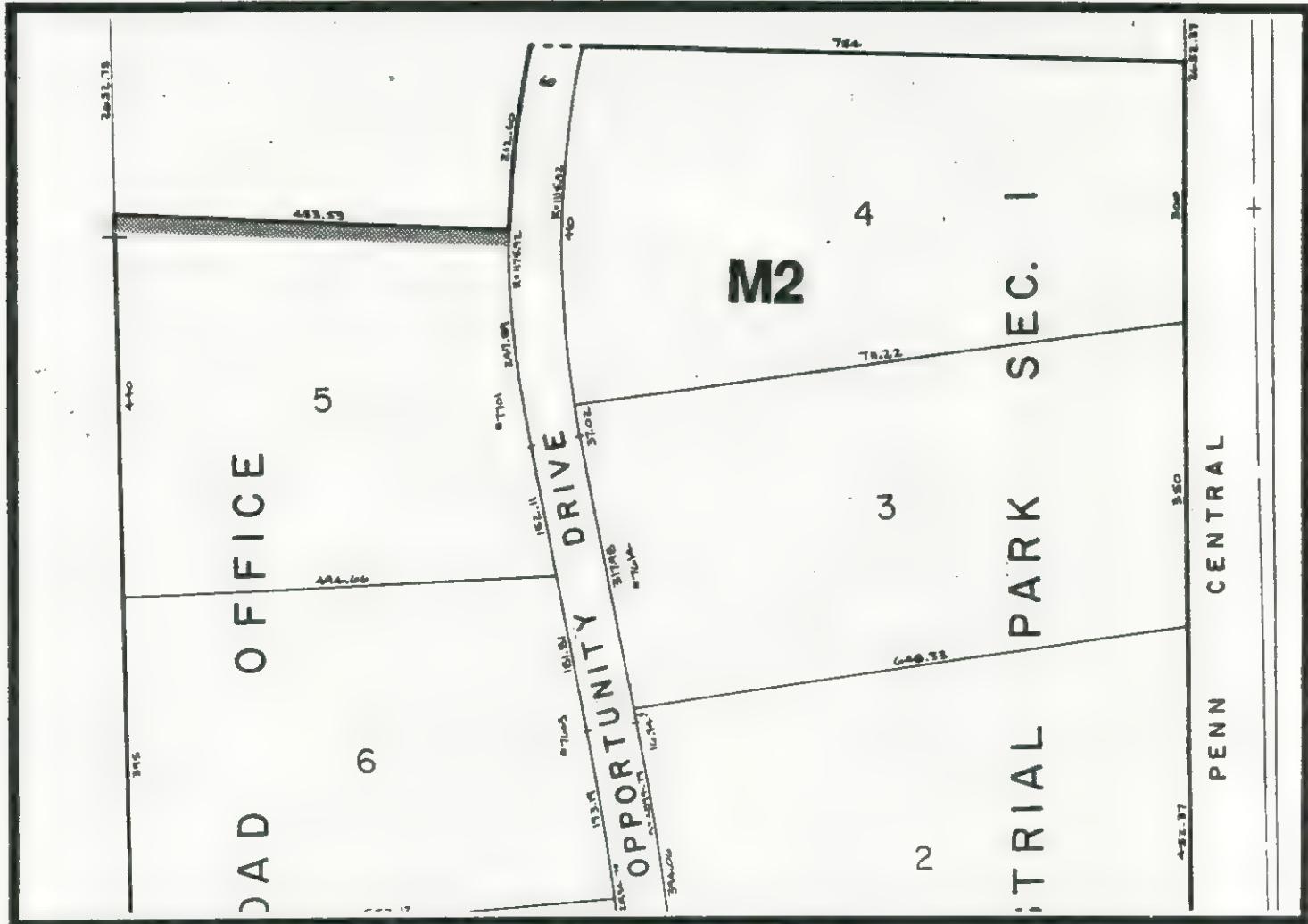
A series of five horizontal lines of varying lengths, intended for handwriting practice. The lines are black and are spaced evenly apart.

DATED: 8-28-90.

Sandra E. Kennedy  
City Clerk

VACATION PETITION # 434

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC UTILITY EASEMENT  
MAP NO. L-46  
COUNCILMANIC DISTRICT NO. 3



ZONING:

M2 GENERAL INDUSTRIAL

LAND USE:

COMMERCIAL

SCALE: 1"=200'

DATE: 5-31-90





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

August 9, 1990

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of August 13, 1990, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-90-06-42  
Vacating Utility & Surface  
Drainage Easement

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-90-06-42)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, August 28, 1990, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

The north ten (10) feet of Lot 5 in Cook Road Office and Industrial Park according to the plat thereof, recorded in Plat Record 48, Pages 126-131 in the Office of the Recorder of Allen County, Indiana

All interested parties are invited to appear and be heard.

Fort Wayne Common Council



Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

August 9, 1990

Jon Bomberger, Attorney  
2400 Fort Wayne National Bank Bldg.  
Fort Wayne, IN 46802

### NOTICE OF PUBLIC HEARING ON BILL NO. G-90-06-42

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, August 28, 1990, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Bldg., Fort Wayne, Indiana, on the following:

Utility & Surface Drainage Easement in Cook Road Office & Industrial Park - relocation of existing easement

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

Fort Wayne Common Council  
(Governmental Unit)

To:

The Journal-Gazette  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

Dr.

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

19 lines, 1 columns wide equals 19 equivalent lines  
at .33 cents per line \$ 6.27

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 2.00

**TOTAL AMOUNT OF CLAIM** \$ 8.27

## DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 1  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: August 13, 1990

Title: Clerk

*Nicole Allred**Nicole Allred**Nicole Allred*

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

NOTICE OF PUBLIC HEARING  
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(BILL NO. G-90-06-42)  
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All interested parties are invited to appear and be heard.

Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

13

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time(s), the dates of publication being as follows:

8/13/90

*Nicole Allred*

Subscribed and sworn to before me this 13th day of August, 1990

*Shelley R. Larue*Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994

Fort Wayne Common Council

(Governmental Unit)

Allen

County, Indiana

To: The News-Sentinel

P.O. Box 100

Fort Wayne, IN

Dr.

## PUBLISHER'S CLAIM

## LINE COUNT

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Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: August 1390

Title:

Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

NOTICE OF PUBLIC HEARING  
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 Interested parties are invited to appear and be heard.

Fort Wayne Common Council  
 Sandra E. Kennedy  
 City Clerk

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time (s), the dates of publication being as follows:

8/13/90Subscribed and sworn to before me this 13th day of August, 19 90.My commission expires: March 3, 1994

Shelley R. Larue  
 Notary Public Whitley County, IN  
 SHELLEY R. LARUE